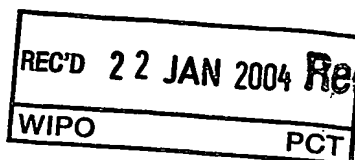


# PRV

PATENT- OCH REGISTRERINGSVERKET  
Patentavdelningen



10/528091  
PCT/ SE 03 / 0 2 0 1 3  
Rec'd PCT/PTO 16 MAR 2005

## Intyg Certificate

Härmed intygas att bifogade kopior överensstämmer med de handlingar som ursprungligen ingivits till Patent- och registreringsverket i nedannämnda ansökan.

*This is to certify that the annexed is a true copy of the documents as originally filed with the Patent- and Registration Office in connection with the following patent application.*



(71) Sökande                      OptoQ AB, Linköping SE  
Applicant (s)

(21) Patentansökningsnummer      0203868-5  
Patent application number

(86) Ingivningsdatum                      2002-12-20  
Date of filing

Stockholm, 2004-01-13

För Patent- och registreringsverket  
For the Patent- and Registration Office

  
Sonia André

Avgift  
Fee

**PRIORITY  
DOCUMENT**  
SUBMITTED OR TRANSMITTED IN  
COMPLIANCE WITH RULE 17.1(a) OR (b)

PATENT- OCH  
REGISTRERINGSVERKET  
SWEDEN

Postadress/Adress  
Box 5055  
S-102 42 STOCKHOLM

Telefon/Phone  
+46 8 782 25 00  
Vx 08-782 25 00

Telex  
17978  
PATOREG S

Telefax  
+46 8 666 02 86  
08-666 02 86

**BEST AVAILABLE COPY**

01388102

1

This invention is concerned with the measuring of the amount of red blood cells in blood or the like. When administrating blood to a person that has lost blood or who is operated on, or whose blood is undergoing dialysis, it is important to monitor the amount of red blood cells, since too low or too high numbers can be dangerous and maybe even fatal. Also, it is of essence to know the red blood cell count of a donors' blood. The measuring methods and apparatuses existing today are either not suited for continuous monitoring or too inaccurate to provide an efficient and accurate control basis. Prior art attempts to use the well know Lambert-Beer principle of attenuation. This - however - can only be used when the blood is in near contact with the light emitter and the light detector, such as in a laboratory photometer. Also, attempts have been made to compensate unlinear effects.

When administrating blood, it is of great value if the action of extraction of blood from tubings, blood transport devices, cuvettes or the like, can be avoided. This would save time, cost, blood and also enhance safety for the personnel.

In view of the above indicated problems it is the object of the invention to define a measuring method and an apparatus allowing continuous, safe and sufficiently precise measuring of the red blood cell count.

In accordance with the invention, the above object is achieved by radiating the blood with, preferably, near infrared light (NIR) and measuring the light scattered by the blood cells in at least two essentially oppositely angled directions relative the direction of the entering illuminating light beam; preferably at a right angle.

Practical tests have shown that a remarkable improvement in precision relative the prior art is achieved already when only two exit directions are monitored, although precision increase with the number of detectors. Also, an arrangement with a plurality of perpendicularly arranged emitters and a plurality of relative each other perpendicular detectors offset in the stream direction will provide good results.

The invention is surprisingly simple and yet accurate. One reason for the successful measuring with the invention is that the red blood cells act as minute reflectors. It is well known that red blood cells scatter and refract light. The blood cells having a normal orientation essentially perpendicular to the plane defined by the sensors and the light source will to a sufficient extent either be directed into one detector or the opposite one. These facts contribute to the explanation of the surprisingly good results achieved

01388102

2

with the invention as compared with those of previous optical attempts.

The quality of the invented measuring method is shown in fig. 1, where in a diagram the correlation between measurements taken in accordance with the invention of prepared samples and careful laboratory reference measurements of the same samples is shown.

The blood cell flow may be randomly spread, randomly oriented and randomly concentrated due to flow characteristics varying from set up to set up. For instance, a slightly changed bend of the pipe a distance away from the measure point may cause a change in the flow, thus offsetting the concentration core of the blood cells flowing past the sensors. By increasing the number of sensors to cover reflections from an as large part as possible of the flow cross section, such variations may be further reduced in the measuring. Also, an arrangement with one or several additional sets of emitters at other angular directions together with corresponding sensors can improve the accuracy of the measuring. The different emitters may be pulsed so that they do not influence each others derived signals. Still, the pulses may be so frequent that the location of the blood cells is practically the same from one said pulse to the next.

In accordance with the invention, the clamping sensor part has a polygonal cross section, in particular triangular, rectangular or quadratic. This provides a number of advantages: Good contact with the elastic tubing is obtained even if the dimensions of this vary. By arranging the sensors in the flat parts of the clamps uninfluenced conditions for the sensors will be obtained from occasion to occasion. Additionally the area of the cross section will be slightly decreased increasing the speed of the blood cells. Also, the flow in the corners will be somewhat slowed down. In all, the flow variations caused by outer circumstances is compensated for, as apparent in the description.

Also, the optical coupling is well defined by the possibility to have a short air space from the sensor or illumination source to the pipe. Nor is it necessary to apply special gel coupling substances between the tubing and the emitters and sensors respectively.

Further advantageous features and advantages of the invention are apparent from the claims as well as the following description of an embodiment of the invention shown in the enclosed drawing. Fig 1 is a diagram showing the correlation between measurements taken in accordance with the invention of prepared samples and careful

01388102

3

laboratory reference measurements of the same samples, fig 2 show a cross section of a device according to the invention, and fig 3 and 4 a similar embodiment of the invention.

5 The measuring unit in the in fig 2 consists of a U-shaped channel 1 in the bottom 2 and sides 3, 4 of which plates 5, 6, 7 are arranged each provided with a row of holes or openings 8 along the channel. In the bottom plate 6 a light emitter 10 is arranged in the first hole in the row. In the plates located on the sides of the channel the plates light sensors 9 are arranged in the first the holes (in the same end as the light emitters. The emitters 10 and the sensors 9 are all arranged at the outer end of the holes on the panel sides facing away from the center of the channel. The sensors and emitters  
10 are directed towards the center of the channel.

The channel is further provided with a lid 11 with which the channel can be covered transferring it to a tube-like structure with a square cross section. Also the lid 11 is provided with a hole provided plate 12 with a sensor 9 or emitter 10 at the outside of each hole.

15 In other holes in the four said rows of holes, detectors or emitters can be fitted for further enhancement. If detectors or emitters in these said other holes, the holes at the ends of the rows can be fitted with detectors or emitters with no limit to selection other than that at least one emitter is used in the measuring unit.

20 The embodiment shown in fig 3 and 4 is similar to that of fig 2 and the same reference numerals is therfor used.

When red blood cell measuring is to take place, an elastic clear tubing 13, that is used anyway for the blood transport to or from a patient, is placed in the channel 1. The lid 11 is put in place, pressed down against the tubing 13 and then locked in place. The size of the channel in its closed form is at fabrication chosen so small that the plastic tubing at clamping is forced to assume an essentially square cross section with slightly rounded corners. The emitted light intersects the area from which the sensors can detect light scattered towards the sensors resulting in a "scanned area " 14.  
25

A further developed embodiment may include the possibility to adjust the size of the channel with lid.

30 The channel and lid is not limited to the shape of a "U" and lid, but can also, for instance be shaped as two equally formed "L-s" or two opposed angular elements.

The use of a rectangular channel has the advantage that several parallel

01388102

4

sensors may be arranged in the same plane and sense the presence of red blood cells in an increased cross section area where emitted light can be sensed.

Due to the compression of the clear tubing this will bulge out slightly into each hole in the plates forming lens-like surfaces that will help in focusing a broader beam of scattered light to the sensors. Since however the wall of the tubing in front of the light sources and sensors is essentially flat, the light transport laterally into or out from the tubing through its wall will be reduced in relation to circular tubing, thus essentially eliminating an error source. Also the sharp corners will work in this direction since light propagation is reduced in a circumferential direction.

While measuring, short light pulses with a suitable wavelength are emitted from the light sources and then measured by the sensors. The signals from the sensors are fed to an evaluation device, for instance a computer or signal processor, where the signals are integrated, summed or processed in other ways in order to provide a measure representative of the entire amount of red blood cells in the tubing. From this result, the hematocrit value can be expressed as shown in fig. 1.

It has turned out that already by using only two perpendicular sensors very accurate values are obtained. Additional certainty and precision can be achieved by using more emitters, and/or sensors. Presumably further precision can be gained by disruption of the square cross section or a change to another cross section or the same but slightly angled.

A considerable advantage of the invention is that no special measuring chamber has to be separately fabricated, exchanged or washed.

By using two wavelengths measuring also the oxygen saturation and other blood constitutions can be measured.

A great advantage is that a measuring device is obtained that can simply be clamped around a present clear tube without the tubing wall curvature influencing the measuring.

Several light sources may be used causing the blood cells in a defined area or space to reflect light to the sensors.

30

01388102

5

**PATENTKRAV**

1. Method for measuring the amount of red blood cells in a sample, characterized in that electromagnetic radiation such as light, preferably near infrared light, is radiated into the sample from one or a plurality of emitters and that the radiation scattered out from the sample is detected in at least two essentially opposite directions for each light beam respectively.
2. Method according to claim 1, characterized in that the light beam or light beams are essentially perpendicular to the directions of the sensor or sensors.
3. Method according to claim 1 or 2, characterized in that the sample flow past a measuring location.
4. Apparatus for the measuring of the amount of red blood cells in a sample according to the method of claim 1, characterized in that it comprises one or several light sources and at least two essentially opposite sensors for each light source respectively.
5. Apparatus according to claim 4, characterized in that sensors and light source or light sources are arranged perpendicular to the direction of a tubing for a blood stream to be measured.
6. Apparatus according to claim 4, characterized in that it comprise a reception space for the reception of a section of a tubing for a blood flow, which reception space is polygonal, in particular square, to its cross section and so dimensioned relative the tubing that the cross section of this when clamped becomes at least slightly polygonal.
7. Apparatus according to claim 6, characterized in that the reception space is constituted of a closeable channel.
8. Apparatus according to claim 6, characterized in that sensors or light sources are arranged in the flattened areas of the tubing.
9. Apparatus according to claim 6 characterized in that openings are arranged in the flat walls of the reception space for the arrangement of sensors and light sources.
10. Apparatus according to claim 9, characterized in that an air space is left between the inner channel wall and the sensors and the light source respectively.
11. Apparatus according to claim 4 - 10, characterized in that it comprises a signal processing unit to calculate blood constituents.
12. Apparatus according to claim 11, characterized in that it comprises a signal processing

01388102

6

unit, to calculate amount of red blood cells

- 5 13. Method for measuring the amount of red blood cells in a sample, characterized in that electromagnetic radiation such as light, preferably near infrared light, is radiated into the sample from one or a plurality of emitters and that the radiation scattered out from the sample is detected in at least one sensor arranged essentially with a sensing direction that is perpendicular to the light from the emitter.

01388102

01388102

7

SAMMANDRAG

5 Method for measuring the amount of blood cells in a sample, where electromagnetic radiation such light, preferably near infrared light is fed into the sample and that the radiation scattered out from the sample is detected at two essentially opposite directions. The light beam or beams are essentially perpendicular to the directions of the sensors

-----

01388102



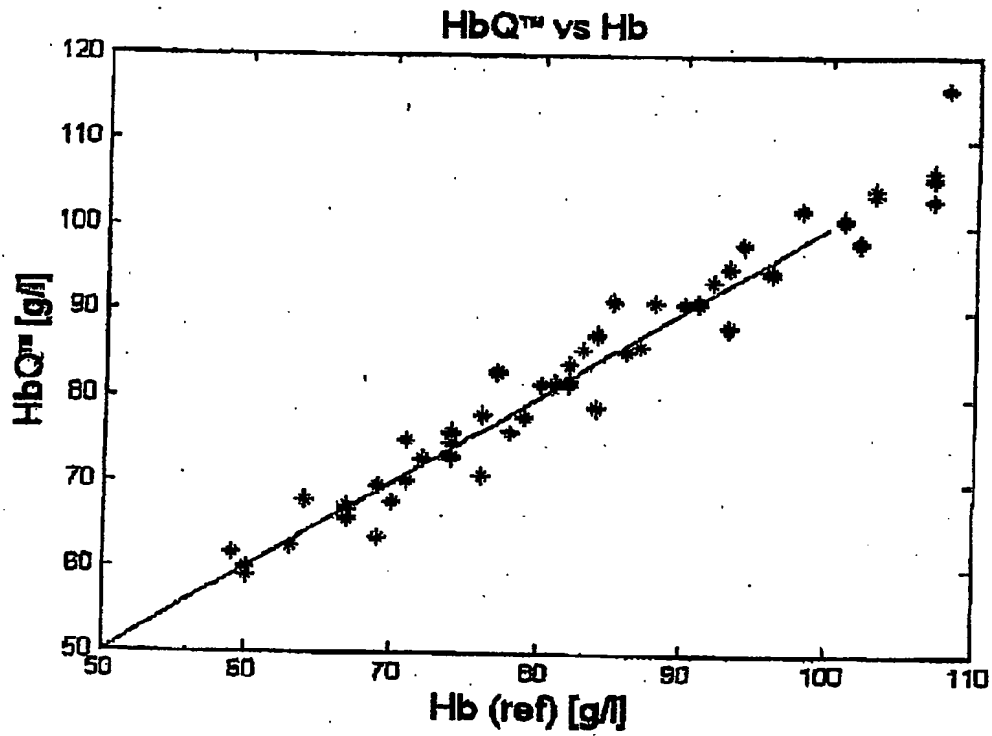
01388102

BRÄNLUNDS PATB

2002-01-01

BRÄNLUNDS PATB

Fig. 1



01388102

Fig. 2

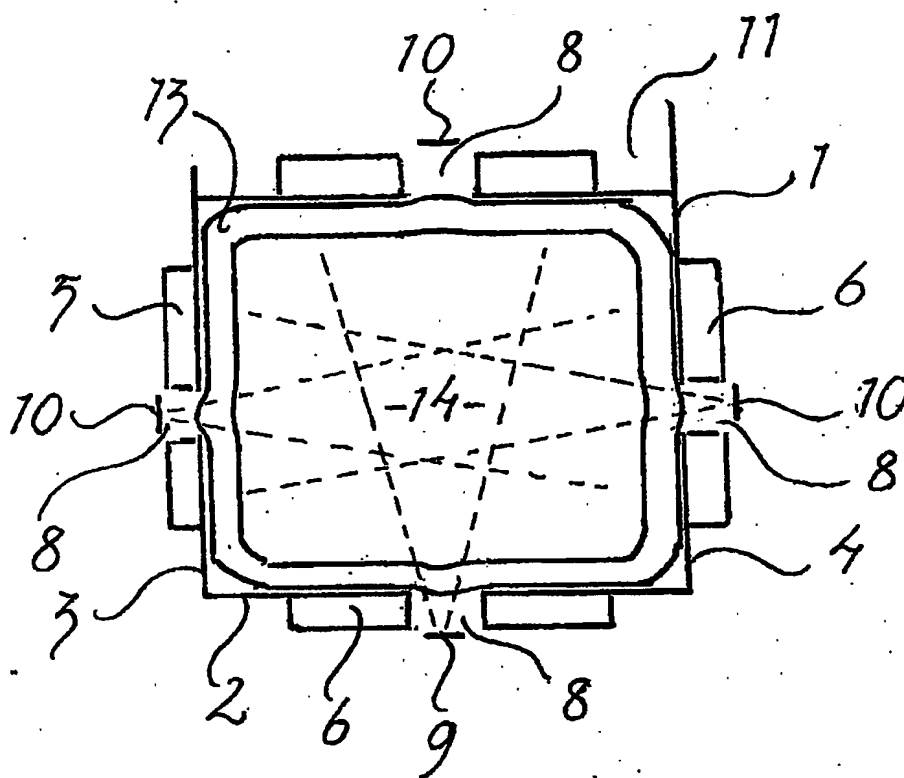


Figure ~~1~~ 3

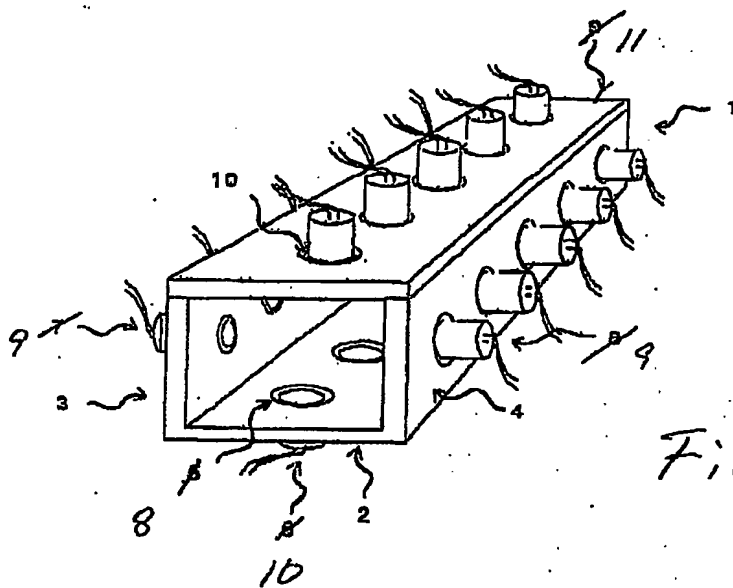
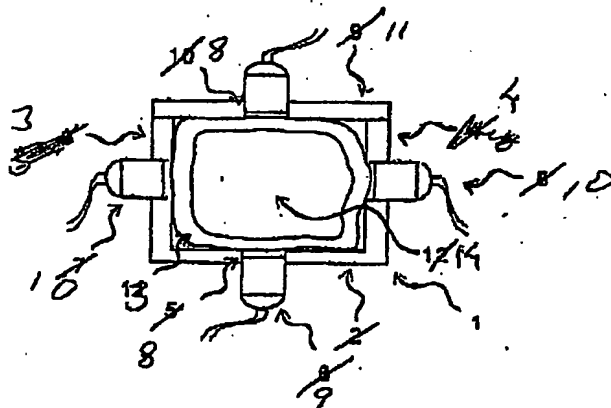


Fig 4

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**